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HONOLULU, HAWAIIAN ISLANDS, MONDAY, JANUARY 7, 1895.

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LANDS FOR THE HOMESTEADERS.

Purchases, Leases and Cash Free-Holds.

SECOND SECTION OF LAND LAWS.
Land Appraised by Board of Commissioners—Form of Application—Pay Rental of Six Per Cent. on Value of Property—Reversion to Government.

SEC. 1. The Commissioners of Public Lands are hereby authorized and instructed to cause to be surveyed and set apart, from time to time, suitable portions of the public lands for the occupation of such persons as may desire to obtain homesteads under this part of this act. Such lands shall be selected only from agricultural and pastoral lands and shall be laid out in lots of not over one hundred acres in first class agricultural land, not over two hundred acres in second class agricultural land, not over two acres in wet land, not over six hundred acres in first class pastoral land, not over twelve hundred acres in second class pastoral land, and not over four hundred acres in mixed agricultural and pastoral land. Convenient roads to be graded and direction shall be surveyed connecting such lots with a public road.

SEC. 2. Upon the completion of any survey, the Surveyor-General, the sub-agent and the surveyor of such lots, or if the sub-agent has acted as the surveyor, a board of appraisers consisting of the Surveyor-General and the sub-agent, shall appraise the same in their discretion at a reasonable market rate, and report such appraisal to the commissioners by a written statement clearly referring to the lots by number as laid out in the chart of the survey. And the surveyor shall furnish the commissioners with a copy of such chart, upon which is clearly marked in figures, within the lines defining each lot, the amount of the appraisal thereof in dollars and cents, and a similar copy to the sub-agent, provided that such appraisal may be modified by the commissioners. Such charts of survey shall be open to public inspection during business hours, without charge.

SEC. 3. The agent of public land shall thereupon give public notice, in the English and Hawaiian languages, in newspapers published in such languages respectively, and if he deem it advisable in any other language in which newspapers in the Republic are published, declaring such lots to be open for settlement according to the provisions thereof in this part of this act.

SEC. 4. Any person over eighteen years of age, who intends to be a permanent resident of the Hawaiian Islands, who is under no civil disability for any offense, who is not liable for delinquent taxes, who has not made a false declaration in applying for land under this act, who has not suffered forfeiture of land for non-performance of condition under this act, who has not surrendered a certificate of occupation or a lease in perpetuity with conditions unperformed under this act, who does not own in his own right in fee any agricultural land not classed as wet land, nor any pastoral land in the Hawaiian Islands, and who is not an applicant for any other interest in land under the provisions of this act, may apply for one of the said lots for his own sole use and benefit, either as a right of purchase lease or as a cash freehold.

Provided, however, that any qualified person may apply for one lot of wet land in addition to land of any other description already applied for or acquired by him under this part of this act, where such wet land is in the neighborhood of such other land; and further provided, that any person who owns less than one hundred acres of first class agricultural land, or less than two hundred acres of second class agricultural land, or less than six hundred acres of first class pastoral land, or less than twelve hundred acres of second class pastoral land, which is not subject to a condition of residence, and who owns in fee no other agricultural nor pastoral land, except wet land, shall be competent to acquire under the provisions of this part of this act so much additional land of the class already held by him as together with such land shall not exceed in the aggregate the above mentioned maximum quantity for such class or shall be competent to acquire additional land of some other description, except wet land, in the ratio of twelve parts of second class pastoral land, six parts of first class pastoral land, or two parts of second class agricultural land to one part of first class agricultural land, sufficient to make up such maximum quantity relatively, according to the class of the new land applied for, and further provided, that no married woman shall be competent to apply for land under this part of this act unless her marriage status shall have been affected by a decree of annulment, separation or divorce; and further provided, that if the applicant is an unmarried person he shall not be permitted to acquire over seventy-five per centum of the respective maximum area of land provided for settlers in this part of this act.

RIGHT OF PURCHASE LEASES.
SEC. 5. All applications for a right of purchase lease shall be made in person by the applicant at the office of the sub-agent during office hours, and shall include a sworn declaration substantially according to the form of Schedule D. The applicant shall pay to the sub-agent a fee corresponding in amount to six months rent of the premises applied for, which fee shall be credited to him on account of rent if his application is successful. Upon receiving such application and such fee the sub-agent shall endorse upon the application the day and hour of receiving the same and the receipt of said fee. In case two or more persons apply for the same lot, the one whose application is first received shall have the preference. No application not including a declaration of qualifications as above required and not accompanied with the said fee, shall be received or considered.

SEC. 6. If the qualifications of the applicant are satisfactory according to the foregoing requirements, the sub-agent shall execute a lease in duplicate in favor of the applicant, for the lot applied for substantially according to the form of Schedule E, and shall deliver to the applicant one duplicate of such lease, and keep the other on file in his office. The applicant on receiving such lease shall be designated the lessee, which shall also be the designation of any successors to his rights under the same. The receipt of such lease by the lessee shall be an acceptance and affirmation of the stipulations and conditions therein set forth.

num area of land provided for settlers in this part of this act.

SEC. 7. Such lease shall be made for a term of twenty-one years to be reckoned from the next first day of April or October following the date thereof, and shall also include the period between the date of the lease and such day, and shall be subject to the following conditions:

1. A yearly rental of six per centum on the appraised cash value of the land, payable in equal parts half yearly in advance on the first day of April and the first day of October of each year to the sub-agent.

2. The lessee shall from the end of the second year of the said term to the end of the eighth year thereof reside continuously upon the said premises, provided that the continuous maintenance of his home on such premises shall be sufficient without his own constant personal presence thereon.

3. He shall before the end of the eighth year of the said term reduce to cultivation and have under cultivation at one time not less than ten per cent, thereof, or reduce to cultivation and have in cultivation at one time not less than five per cent, thereof and plant and keep in good growing condition on the said premises not less than ten timber, shade or fruit trees per acre of the whole area if the same is classed as agricultural land; or if the same is classed as pastoral land, he shall fence in the same. If the premises are classed as pastoral-agricultural land the foregoing alternative conditions shall apply respectively to the two kinds of land.

4. He shall not assign or sub-let his interest under the said lease or any part thereof, without the consent of the sub-agent. Provided that he may sub-let by parol, any part of the leased premises less than the whole and not including his residence, for the cultivation and harvesting of any crop on shares which does not require over two years for its cultivation and harvesting. And further provided that a lessee or lessees holding the whole interest in a right of purchase lease, may at any time when all the conditions of the lease to be performed by the lessee up to such time, shall have been substantially performed, surrender such interest to the Government by delivery of such lease to the sub-agent with the intention of the holders to surrender the same clearly endorsed thereon assigned by them in the presence of the sub-agent. Any such surrender shall release the lessees from all further duty of performance of the conditions of the document surrendered. But no surrender shall be valid if one of the lessees is a minor under eighteen years of age.

And further provided that any such lessee over the age of eighteen years may assign his interest to his cotenants.

5. He shall not manufacture for sale or sell distilled or fermented liquors, opium or smuggled goods, or permit the same to be done on such premises.

6. He shall perform all conditions in such lease for the protection of trees growing or to be planted on such premises, or for the destruction of vegetable pests that may be on such premises for the prevention of the future introduction of such pests thereon.

7. He shall allow the agents of the Government at any time to enter and examine the demised premises.

SEC. 8. Upon the violation of any of the foregoing conditions the interest of the lessee in such premises shall cease and the lease shall be void.

SEC. 9. At any time between the eighth and the twentieth year of the said term, the lessee shall be entitled to a land patent from the Government, conveying him in fee simple the land described in his lease, upon his paying to the Government the appraised value of the leased premises; if at such time all the conditions of the lease to be performed by the lessee up to such time shall have been substantially performed, and there are no taxes due the Government on account of such premises.

SEC. 10. During the first six months of the twenty-first year of a right of purchase lease, a new appraisal of

(Continued on page 3.)

BLOOD WAS SHED LAST NIGHT.

Revolutionists Attack Charles Carter And Members of the Police.

BATTLE AT HENRY BERTELMANN'S.

The Leader and a Number of Others in Jail.

CHARLES CARTER SHOT TWICE.

Henry Bertelmann and Ten Others Arrested Before Midnight—A Detachment of Regulars Sent to the Scene and Take the Rebel Headquarters.

The blow has fallen. The armed force of the Republic and the Royalists have met. Blood has been shed.

The time for action, for which so many have been calling, has arrived, and in all instances the Republic has shown itself amply able to maintain itself against all comers.

The Cabinet, the Marshal and officials of the Citizens' Guard were holding conference nearly all day yesterday, at the police station.

Saturday evening rumors were about that a blow was soon to be struck by the natives. These were corroborated from several sources. Arms were to be landed at Waikiki and secreted in the house of Henry Bertelmann, just beyond the Campbell residence. These supposedly came from a small schooner which has been laying off the coast for sometime.

It is known that the lookout at Diamond Head had been approached to prevent his reporting the vessel from which the arms were to be landed.

Scouts brought in reports that that the attack was to be made at 1:20 o'clock last night. Rumors of action from all sides, led the officials to send Captain Parker and a posse of police with search warrants, to the Bertelmann house.

As they approached the house they were met by a volley from the guards about the house. The posse had been joined by Charles L. Carter and James Castle and other residents of the place.

Immediately the shots were fired the police dropped to the ground. No one was injured on the first volley, though Deputy Marshal Brown had a narrow escape.

The exact movements of this party in the scrimmage which followed it was impossible to learn at the time.

Reports at the police station were conflicting. Two were reported wounded, and a doctor and detachment of soldiers were asked for immediately.

About 9:45 James Castle telephoned from Bertelmann's place that the Government forces were in possession. They wanted soldiers and a doctor; Charley Carter and two others had been shot; Carter was shot in the leg; none seriously injured.

While this was going on all was activity at the police station.

The Cabinet and the Marshal were in conference. Immediately reports of the encounter came in the Citizens' Guard and volunteers were ordered out. The members assembled promptly.

Those without arms were sent to E. O. Hall & Son's and supplied. Squads assembled at their appointed places and within half an hour after the first call was made the outskirts of the city were under strict guard. Reports from the Palama district were to the effect that natives had been gathering there. This corroborated the report that the two sections were to act in unison, advancing from either side of the city.

Continued reports of fighting at Waikiki. A hackman went to the Waikiki turn and was ordered